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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

McGREGOR, et al

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For: **MOBILE PHONE WITH
INTERNAL ACCOUNTING**

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Assistant Commissioner
for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT
(Protest under 37 C.F.R. 1.291)

Ortiz et al, Patent No. 5,134,651, issued July 28, 1992, discloses an

autonomous mobile "pay telephone arrangement for processing a pay telephone call

from, for example, a mobile telephone without the need for credit cards and in

manner which eliminates reliance on the telephone company's Central Office for

either answer supervision or billing." (Col. 3, Lns. 32-37). In fact, the owner or

service provider can tailor the "programming of call supervision "to require payment

in advance of call placement." (Col. 13, Lns. 1-5).

This is accomplished by providing "an autonomous pay telephone

comprising: a memory for storing call rate information for determining a rate to be

charged per unit of time for a call to a given telephone number; charging means for receiving the telephone given number and for determining the rate to be charge for the call placed to the given number from the call rate information stored in the memory; and display means for displaying, in real-time as the call progresses, charges for the call placed . . . ." (Col. 4, Lns. 21-30).

"[T]he autonomous pay telephone arrangement is programmed, by the owner or service provider, for different rates for billing purpose as well as to obtain access to charged amount totals for accounting purposes. By being able to control the tariffs and charges for services provided, the owner or service provider can establish the desired mark-up without having to depend on others." (Col. 4, Lns. 38-46). The autonomous pay telephone arrangement "is designed to meter calls which may be local, long-distance, international, incoming and outgoing." (Col. 15, Lns. 9-11). The call rate information stored in memory includes "local and long distance rate tables" and a "billing scheme . . . which can be altered to conform to the area's roaming requirements." (Col. 14, Lns. 59-65).

Wittstein et al, Patent No. 5,631,947, issued May 20, 1997, discloses a rental "portable mobile telephone device" which includes "a microprocessor pro-grammed to compute charges for the use of the telephone" and a memory that "stores all detail records and charges." (Col. 4, Lns. 1-2, Col. 3, Lns. 39-41). "Preferably, the telephone device can be set to automatically disable the for making and receiving

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telephone all calls or selected calls, when a pre-determined charge limit and/or time limit has been reached." (Col. 3, Lns. 56-59).

The purpose of the disclosed system is to provide a rental mobile telephone system without the need to provide a credit card reader with the system. (Col. 1, Lns. 35-37, Col 3, Lns. 19-22). This is accomplished by eliminating the need to compute call billing "at a central station" through the disclosed use of a process programmed into the phone unit to internally choose from a "plurality of charge rates" (Col. 1, Lns. 49-51, Col. 22, Lns. 12-17). These rates are used to internally calculate call charges as calls are being made: the phone unit includes a "storage means for storing data representing a plurality of call charge rates . . . [and] an on-board computer for using selected ones of said charge rates, and computing the usage charges for each telephone call made or received by said device." (Col. 22, Lns. 12-17).

Motorola, UK Patent Application No. GB 2 265 522 A, published September 29, 1993, discloses a "pre-paid" system where "new credit is loaded into the handset" remotely using the "over-the-air" mechanism when the pre-paid units have been exhausted. (p. 9, lines 30-32). The disclosed "over-the-air" process is "where the base station orders the handset to accept and subsequently store in the registration slot some new registration data. This process may be used for the initial

storage of registration data in the handset, or for subsequent storage of newer registration data." (p. 2, lines 37-38, p 3. lines 1-4).

Anritsu, K.K., Japan App. No. 3-45031, Published February 26, 1991, discloses a "portable telephone handset" that internally processes the same complex "call charge processes" normally performed at the exchange station which enables it to allow calls "for the amount corresponding to a certain value-holding information, and then halts at least the call initiation function." (p. 8, lines 24-26). "[A] disabled portable telephone handset can be reactivated by paying call charges at a designated agency, which will update the call charge unit information . . . . The usage is enabled for the amount paid." (p. 7, lines 21-23).

The purpose of the disclosed debit phone system is to "eliminate the complex billing registration and calculation processes at the exchange machine for each mobile handset identification number (ID code)." (p. 3, lines 11-13). The disclosed debit system accomplishes this by providing a "portable telephone handset" with an internal "billing rate table in which rates are based on the regions" where the call is initiated and received. (p. 8, lines 17-18).

Anritsu, K.K., Japan App. No. 3-60229, Published March 15, 1991, discloses a "portable telephone handset" having "a means to detect and store the used call charge units for calls made, and a means to display or to output said used call charge units." (p. 3, lines 24-25). The disclosed "portable telephone handset" also

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includes a "[t]ime data storage means [which] stores data regarding an allowed call duration per call charge unit (a certain charge) for each area code zone for a call from all certain wireless areas. Time data storage means 23 also outputs area codes, dialed codes, and time data. The time data is determined by the date/time data and day-of-the-week data, both of which come from clock circuit 24." (p. 4, lines 21-24).

The purpose of the disclosed system is to enable the owner of the "portable telephone handset" to rent the handset to a third-party "for a short period of time and receive fees in accordance with the call charges." (p. 3, lines 11-13). To accomplish this requires that the "portable telephone handset" eliminate the reliance on billing calculations performed at the exchange station by storing call charges as record data in memory. (p. 3, 4). This "usage data" can be printed out when the "portable telephone handset" is returned. (p. 6, lines 23-26). "Hence, the portable telephone handset allows a person, who runs a rental business of this portable telephone handset, to accurately know call charges during a rental period." (p. 8, lines 3-5).

NTT, K.K., Japan App. No. 3-280652, Published December 11, 1991, discloses a debit phone system which includes "storage means 1 to store a predetermined monetary amount which can be used for communications, accumulation means 2 to calculate and accumulate call charges during mobile communications, a display means 3 to display the accumulated amount which is obtained by said
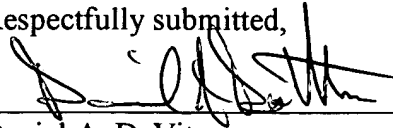
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accumulation means 2, or the difference between the monetary amount in said

storage means 1 which can be used for communications and said accumulated

amount, and a communication interruption means 4 to interrupt mobile communica-

tion when said accumulated amount exceeds said monetary amount in said storage

means 1 which can be used for communications." (p. 3, lines 5-12).

The purpose of the disclosed debit phone system "is to provide a rental

mobile terminal, wherein a user pays call charges in advance and then can use it until

the amount is completely used." (p. 3, lines 1-3). The disclosed "portable size

terminal" accomplishes this by performing the "billing calculation" internally,

"independently from an exchange machine" using a "distance-sensitive call duration

[billing] method." (p. 5, lines 19-20, p. 6, lines 19-20). The disclosed debit phone

system allows for "[e]ntry of a monetary amount . . . through external connector

102, to which another computer . . . is connected." (p. 4, lines 5-6).

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